

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA, THE STATE OF CALIFORNIA, THE STATE OF COLORADO, THE STATE OF CONNECTICUT, THE STATE OF DELAWARE, THE STATE OF FLORIDA, THE STATE OF GEORGIA, THE STATE OF HAWAII, THE STATE OF ILLINOIS, THE STATE OF INDIANA, THE STATE OF IOWA, THE STATE OF LOUISIANA, THE STATE OF MARYLAND, THE COMMONWEALTH OF MASSACHUSETTS, THE STATE OF MICHIGAN, THE STATE OF MINNESOTA, THE STATE OF MONTANA, THE STATE OF NEVADA, THE STATE OF NEW JERSEY, THE STATE OF NEW MEXICO, THE STATE OF NEW YORK, THE STATE OF NORTH CAROLINA, THE STATE OF OKLAHOMA, THE STATE OF RHODE ISLAND, THE STATE OF TENNESSEE, THE STATE OF TEXAS, THE STATE OF VERMONT, THE COMMONWEALTH OF VIRGINIA, THE STATE OF WASHINGTON, THE STATE OF WISCONSIN, AND THE DISTRICT OF COLUMBIA, *ex rel.* URI BASSAN,

Plaintiffs,

v.

OMNICARE, INC.,

Defendant.

USDC SDNY
DOCUMENT

ELECTRONICALLY FILED

ECC#:

12/13/19

PROPOSED ORDER

15 Civ. 4179 (CM)

~~UNDER SEAL~~

SEARCHING ORDER
LIFTED 12/12/2019

ORDER

The States of California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Vermont, Virginia, Washington, and Wisconsin (collectively the "Plaintiff States"), having declined to intervene pursuant to their respective false claims acts or analogous statutes with respect to the relator's *qui tam* claims, the Court rules as follows:

IT IS ORDERED that,

1. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the Plaintiff States. The Plaintiff States may order any deposition transcripts and are entitled to intervene in this action, for good cause, at any time and may seek the dismissal of the relator's action or claim;
2. The parties shall serve all notices of appeal upon the Plaintiff States;
3. All orders of this Court shall be sent to the Plaintiff States by the relator; and
4. Should the relator or the defendants propose that this action be dismissed, settled, or otherwise discontinued, the moving party (or parties) must solicit the written consent of the Plaintiff States before applying for Court approval.

IT IS FURTHER ORDERED THAT,

1. In accordance with the terms of the Maryland False Health Claims Act, Md. Code Ann., Health Gen., § 2-604(a)(7), the State of Maryland having declined to intervene in this matter, all claims asserted on behalf of Maryland are hereby dismissed without prejudice.

SO ORDERED.

This 12 day of December, 2019.



HON. COLLEEN McMAHON
Chief United States District Judge